



NEWS RELEASE

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For Immediate Release

Investigative Update

Almost 1,000 former income assistance recipients still owed payments following Ombudsperson investigation highlighting unfair deductions

Victoria – B.C. Ombudsperson Jay Chalke released an update of a May 2018 report today that found the Ministry of Social Development and Poverty Reduction failed to follow the law in relation to the calculation of income assistance benefits.

Special Report No. 41, *Working Within The Rules: Supporting Employment For Income Assistance Recipients* arose from an individual's complaint that the ministry had improperly imposed a one-month suspension of the earnings exemption, a benefit designed to encourage income assistance recipients to work by allowing them to keep limited amounts of earned income over and above their monthly income assistance payments. The Ombudsperson determined that imposing a one-month waiting period for the earnings exemption was contrary to *the Employment and Assistance Regulation*, and that even though the ministry was aware that the policy was inconsistent with that law, it continued to apply it. As a result, the ministry has now determined that approximately 2,600 people were denied payments totaling almost \$658,000.

"I was extremely concerned when we made these initial findings," said Chalke. "When government supports society's most vulnerable citizens it is critical that benefits that can make a difference to making rent, or caring for children, or paying for basic transportation, are administered properly."

The ministry committed to identifying and reimbursing those impacted by October 1, 2018, however today's update by the Ombudsperson indicates there are almost 1,000 individuals who are still entitled to payments totaling just over \$225,000. "I continue to be concerned that there are still many people out there who have not received the funds that they are still owed as a result of this error. I am expecting that the ministry will pursue all reasonable avenues to locate and reimburse these individuals, many of whom face significant financial challenges," Chalke said.

The ministry has implemented three of the original report's recommendations:

- Ministry policy has been changed so that it is consistent with the *Employment and Assistance Regulation*.
- The ministry is now making eligibility decisions in accordance with the Regulation ensuring clients who are entitled to the earning exemption are not being denied it.

- The ministry has developed guidelines to respond to systemic and/or repetitive legal errors. Ministry Executive staff must now respond to these errors within 90 days of issues being brought to their attention.

“These are positive changes that will help make mistakes like this less likely in the future,” said Chalke. “In the meantime, I am calling on the ministry to intensify its efforts to locate the remaining individuals and pay them the funds rightfully due.”

The full report and Investigative Update can be viewed at www.bcombudsperson.ca

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About the Office of the Ombudsperson

The Office of the Ombudsperson receives enquiries and complaints about the practices and services of public agencies within its jurisdiction. Its role is to independently and impartially investigate these complaints to determine whether public agencies have acted fairly and reasonably, and whether their actions and decisions were consistent with relevant legislation, policies and procedures. In addition to investigating individual complaints, the Ombudsperson also conducts systemic investigations into complex issues. The Ombudsperson has jurisdiction over a wide range of public agencies, including provincial government ministries, crown corporations, government boards, schools, universities and colleges, local governments and self-regulating professions.

The Ombudsperson’s mobile complaint team is booking in-person appointments in the Greater Vancouver area beginning January 28th. To book an appointment call 1.800.567.3247.